

RESOLUTION NO. 215

A RESOLUTION AUTHORIZING ATTORNEYS TO INSTITUTE AND PROSECUTE AN ACTION AGAINST WILLIAM M. HAMILTON AND CAROLINE HAMILTON, HUSBAND AND WIFE; JAMES LYNCH AND JANE DOE LYNCH, HUSBAND AND WIFE; FRANK KUNTZ AND JILL KUNTZ, HUSBAND AND WIFE; KEITH A. FINCH AND SARAH FINCH, HUSBAND AND WIFE; BECKY FINCH; FRANK P. JOHNSON AND GWEN G. JOHNSON, HUSBAND AND WIFE; AND WAYNE H. MCGEE AND DORTHA MCGEE, HUSBAND AND WIFE

RECITALS:

(1) The East Wenatchee Water District, hereinafter called the District, being a municipal corporation licensed to do business in the State of Washington, having discovered that certain individuals have engaged in acts or omissions of negligence, and/or fraud, and/or misrepresentation, and/or collusion, and/or violation of various state statutes, and the District having sustained financial loss by reason of the activities above described;

(2) And the District having reviewed the examination of the State Auditor, No. 43478, which was an examination of the East Wenatchee Water District from the period January 1, 1975, through December 31, 1976;

(3) And the District having made an independent investigation during the time period April 1, 1977, through the present time, and said investigation having revealed that certain damages sustained by the District were caused in part or in full by the acts or omissions of the following individuals;

(4) Further, Commissioners feel it to be in the best interest of the citizens of the East Wenatchee Water District that the current disputes & financial difficulties be brought into the public light and fully discussed in a court of law so that in the future the District will be able to conduct its proper business of supplying water to the District;

NOW, THEREFORE, BE IT RESOLVED that the District shall institute legal proceedings in order to recover any and all damages caused by the following defendants:

William M. Hamilton and Caroline Hamilton, husband and wife;
James Lynch and Jane Doe Lynch, husband and wife; Frank Kuntz
and Jill Kuntz, husband and wife; Keith A. Finch and Sarah Finch,
Husband and Wife; Becky Finch; Frank P. Johnson and Gwen G.
Johnson, husband and wife; and Wayne H. McGee and Dortha McGee,
husband and wife.

Said legal action to be brought by the attorneys for
the District, Jeffers & Danielson, P. S. by Dale M. Foreman,
in the Superior Court of Douglas County, State of Washington,
and the attorneys for the District shall take all steps deemed
necessary to prosecute such action.

IT IS FURTHER RESOLVED that the District agrees to
indemnify and hold harmless the attorneys of the District,
Jeffers & Danielson, P. S., and Dale M. Foreman, for any claim
or counterclaim arising out of the filing of this lawsuit or
the furtherance thereof.

IT IS FURTHER RESOLVED that the District agrees to
indemnify and hold harmless the Commissioners of the District,
individually and as Commissioners, for any claim or counterclaim
arising out of the filing of this lawsuit or the furtherance
thereof.

UNANIMOUSLY ADOPTED this 6th day of September, 1977.



J. CLYDE BALLARD, President

Attest:



WALT HAMPTON, Secretary